

80095

K-39408

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

Vol. 1881

Page 18009

STATE OF OREGON, County of Multnomah, ss:

I, David E. Fennell

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original notice of sale given under the terms of that certain trust deed described in said notice.  
I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known addresses, to-wit:

NAME  
Wilford E. Pratt

ADDRESS

1102 Applewood, Klamath Falls, OR 97601

Harriet B. Pratt

1102 Applewood, Klamath Falls, OR 97601

CIT Financial Services, Inc.

PO Box 1688, Medford, OR 97801

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.\*  
Each of the notices so mailed was certified to be a true copy of the original notice of sale by

copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Portland, Oregon, on June 2, 1987. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.  
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.



Subscribed and sworn to before me this 2nd day of June, 1987.  
David E. Fennell

Annette Peterson  
Notary Public for Oregon. My commission expires 2/12/90

\* More than one form of affidavit may be used when the parties are numerous or when the mailing is done on more than one date.  
Publisher's Note: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

AFFIDAVIT OF MAILING TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from  
Pratt  
Fennell TO Grantor  
Trustee

AFTER RECORDING RETURN TO  
Mr. David E. Fennell  
PRESTON, THORGRIMSON, ELLIS & HOLMAN  
3200 USBancorp Tower, 111 SW 5th Avenue  
Portland, OR 97204

(DON'T USE THIS SPACE RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON,  
County of } ss.  
I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_.  
Record of Mortgages of said County.  
Witness my hand and seal of County affixed.

NAME \_\_\_\_\_  
By \_\_\_\_\_ Deputy

18010

OT

TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Wilford E. Pratt and Harriett B. Pratt, husband and wife, as grantor, to Transamerica Title Insurance Company, as trustee,

in favor of Equitable Savings and Loan Association\*\*, as beneficiary,

dated October 7, 1971, recorded November 15, 1971, in the mortgage records of Klamath County, Oregon, in Book 1001/volume No. M71 at page 11977, ~~or as follows:~~

~~as follows:~~ covering the following described real property situated in said county and state, to-wit:

Lot 56 and the Northerly 15 feet of Lot 57 in OLD ORCHARD MANOR according to the official plat thereof on file in the records of Klamath County, Oregon

\*\*beneficial interest under said Deed of Trust was assigned to Salomon Brothers Realty Corporation by instrument recorded November 21, 1986, in Volume M86, page 21527, of the records of Klamath County, Oregon

Property address: 1102 Applewood, Klamath Falls OR 97601

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$240.41 beginning 11/20/86 to 1/20/87; then monthly payments of \$236.71 beginning 2/20/87 to 5/20/87; plus late charges of \$3.18 each month beginning 12/10/86 to 5/10/87; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit: \$12,976.42 with interest thereon at the rate of 8.0 percent per annum beginning 10/20/86 until paid; plus late charges of \$3.18 each month beginning 12/10/86 until paid; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; and any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein.

WHEREFORE, notice hereby is given that the undersigned trustee will on October 14, 1987, at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at inside door to main lobby of the Klamath County Courthouse

in the City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED May 21, 1987

David E. Fennell  
David E. Fennell 3200 USBancorp Tower, 111 SW Fifth Avenue  
Portland, OR 97204 (503)228-3200

Trustee

State of Oregon, County of \_\_\_\_\_ ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

SERVE:

If the foregoing is a copy to be served pursuant to ORS 86.740 or ORS 86.750(1), fill in opposite the name and address of party to be served.

STATE OF OREGON: COUNTY OF KLAMATH: ss:

Filed for record at request of Klamath County Title Company the 5th day of October A.D., 1987 at 10:57 o'clock A.M., and duly recorded in Vol. M87 of Mortgages on Page 18009.

FEE \$10.00

Evelyn Biehn, County Clerk  
By [Signature]